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APR 25 2005

**OFFICE OF PETITIONS**

In re Application of	:
Santhoff, et al.	:
Application No. 09/746,348	: DECISION GRANTING PETITION
Filed: December 21, 2000	: UNDER 37 CFR 1.137(f)
Attorney Docket No. 00002	:

This is a decision on the petition, filed December 20, 2004 (certificate of mailing date December 15, 2004), to revive the instant nonprovisional application under the unintentional provisions of 37 CFR 1.137(f).

The petition is **GRANTED**.

Petitioners state that the instant nonprovisional application is the subject of a PCT application filed on December 13, 2001. However, the U.S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days of the filing of the PCT application.

In view of the above, this application became abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application under a multilateral international agreement that requires publication of applications 18 months after filing.

A petition under 37 CFR 1.137(f) must be accompanied by:

- (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) the petition fee as set forth in 37 CFR 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The instant petition has been found to be in compliance with 37 CFR 1.137(f). Accordingly, the failure to timely notify the Office of the filing of the PCT application within 45 days after the date

of filing of such international application as provided by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is accepted as having been unintentionally delayed.

The previous Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i) has been rescinded. The application is scheduled to publish on July 28, 2005, as stated in the enclosed Communication Regarding Rescission of Nonpublication Request and/or Notice of Foreign Filing.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3230.

This application is being forwarded to Technology Center Art Unit 2662 for consideration of the amendment filed December 20, 2004 (certificate of mailing date December 15, 2005).

A handwritten signature in cursive script, appearing to read "E. Shirene Willis".

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

attachment: Communication Regarding Rescission of Nonpublication Request and/or Notice of Foreign Filing